

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In Re Application of:

Sheldon H. Foss Jr. *et al.*

Serial No.: 10/646,150

Filed: 08/22/2003

Confirmation No.: 8917

Group Art Unit: 3684

Examiner: Elizabeth Rosen

Docket No.: 03102.1020

For: **System and Method for Dynamically Managing a Financial Account**

APEAL BRIEF UNDER 37 C.F.R. §41.37

Sir:

Honorable Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

This Appeal Brief under 37 C.F.R. §41.37 is submitted in support of (1) the Notice of Appeal filed August 23, 2010, appealing to the Board the action of the Examiner's Final Office Action, mailed February 22, 2010, finally rejecting claims 1 - 4, 6, 8 - 11, 13, and 15 - 23 of the above-referenced application, and (2) the Notice of Panel Decision from Pre-Appeal Brief Review, mailed September 14, 2010, which indicated that a Pre-Appeal Brief conference had been held and that the application remained under appeal because there is at least one actual issue for appeal. The Appellant requests a one-month extension of time under 37 C.F.R. 1.136(a), which is included in the accompanying petition, extending the time for submitting an appeal brief to November 23, 2010. Payment for the requisite fee is submitted concurrently via EFS-WEB.

I. REAL PARTY IN INTEREST

The real party in interest of the instant application is CompuCredit Intellectual Property Holdings Corp. II, a Nevada corporation, having a principal place of business in Las Vegas, Nevada.

II. RELATED APPEALS AND INTERFERENCES

There are no related appeals or interferences.

III. STATUS OF THE CLAIMS

Claims 1 – 4, 6, 8 – 11, 13 and 15 – 23 are pending in the application. Claims 1 – 4, 6, 8 – 11, 13, and 15 – 23 stand finally rejected under 35 U.S.C. 112, first paragraph. The Appellant hereby appeals the final rejection of claims 1 – 4, 6, 8 – 11, 13 and 15 – 23.

IV. STATUS OF AMENDMENTS

The present application was filed with original claims 1 - 20. A non-final Office Action was mailed on September 7, 2007. The Appellant submitted an Amendment & Response on November 28, 2007, amending claims 1, 5, 8, 11, 13, 15 and 17, cancelling claims 7, 12 and 14, and adding new claims 21 – 23. A Final Office Action was mailed on February 19, 2008. In response, the Appellant submitted an Amendment & Response on May 18, 2008 without any claim amendments. An Advisory Action was mailed on May 23, 2008. An Examiner Interview was conducted on June 12, 2008, which resulted in no claim amendments. A non-final Office Action was mailed on July 16, 2008. In response, the Appellant submitted an Amendment & Response on October 20, 2008, amending claims 1 – 6, 8 – 11, 13, 15 and 17 – 23. A Final

Office Action was mailed on January 16, 2009. Examiner Interviews were conducted on March 24, 2009 and April 2, 2009. The Appellant submitted on May 18, 2009 a Request for Continued Examination with an accompanying Amendment & Response amending claims 1 – 4, 6, 8, 11 and 21 and cancelling claim 5. A non-final Office Action was mailed on August 18, 2009. In response, the Appellant submitted on December 17, 2009 an Amendment & Response amending claims 1 – 4, 6, 8, 9, 11, 13 and 15 – 21. A Final Office Action was mailed on February 22, 2010. Examiner Interviews were conducted on May 13, 2010 and August 10, 2010. On August 23, 2010, the Appellant filed a Notice of Appeal and a Pre-Appeal Brief Request for Review. A Notice of Panel Decision from Pre-Appeal Brief Review was mailed on September 14, 2010.

All amendments submitted by the Appellant have been entered. The claims as recited in the Claims Appendix in Section VIII reflect the status of the claims for appeal.

V. SUMMARY OF CLAIMED SUBJECT MATTER

A. Independent Claim 1

An embodiment of a computer system (200) for managing financial accounts is recited in claim 1. The computer system (200) comprises a processing system configured to execute a plurality of integrated computer software components configured to establish a new financial account for a new customer and manage a plurality of existing financial accounts for a plurality of existing customers. The integrated computer software components comprise a data collection component (210), a decision engine (220), an account creation component (230), an account management component (240), a transactional processing component (250), and a data aggregation module (252). The data collection component (210) is configured to receive account option data and account formation data pertaining to a new customer. The decision engine (220)

is configured to qualify the new customer for a new financial account based at least in part on qualification criteria and said formation data and said account option data. The account creation component (230) is configured to establish the new financial account for the qualified customer based at least in part on the account option data and account formation data. The account management component (240) is configured to manage account data associated with said new financial account and a plurality of existing financial accounts. The transactional processing component (250) is configured to receive transactions and clear the transactions against the new financial account and the plurality of existing financial accounts. The data aggregation module (252) is coupled with the account management component (240), the transactional processing component (250), and the decision engine (220). The data aggregation module (252) is further configured to aggregate data associated with the transactions for the plurality of existing financial accounts and provide feedback information related to the aggregated transaction data to the decision engine (220) and the account management component (240). The decision engine (220) modifies the qualification criteria based on the feedback information, and the account management component (240) modifies the account data of one or more of the new financial account and the existing financial accounts based on the feedback information.

The subject matter of claim 1 is illustrated in at least FIG. 2 of the specification, as well as the drawings provided on Pages 17 – 21 of the provisional patent application to which the present application claims priority and, therefore, is incorporated by reference by law. The subject matter of claim 1 is described in the specification at least in Page 3, line 4 – Page 8, line 12, as well as Paragraphs 1 – 3 on Page 17 of the provisional patent application.

The recitation of “a processing system configured to execute a plurality of integrated computer software components” is specifically described and illustrated on Page 17 of the

provisional patent application. Under the heading “Preliminary Patent Definitions”, the description clearly states that “[t]he [inventors’] system is a collection of integrated computer softwares and proprietary algorithms, methods of work, business processes, and risk models” that perform the various features and functions of the invention. The illustration clearly shows that the functions (represented as boxes in the system) interface with a processing system. The additional drawings on Pages 18 – 21 illustrate further embodiments of computer software and algorithms for implementing the inventive system. Notably, the drawing on Page 18 of the provisional patent application includes the same subject matter (software components) as FIG. 2 of the specification: the data collection component (210), the decision engine (220), the account creation component (230), the account management component (240), the transactional processing component (250), and the data aggregation module (252). Moreover, the drawing on Page 19 illustrates a computer terminal connected to a backend processing system and databases via the Internet, further evidence of a processing system for performing the embodiments of the inventive functions.

Further support for the recitation “a processing system configured to execute a plurality of integrated computer software components” is found in the following sections of the specification:

(1) Page 3, ll. 10 – 16 clearly states that the present invention may be utilized in Stored Value Systems currently deployed by credit card processing systems, and that the features and aspects of the present invention can be ported into a variety of systems and system/network configurations. A person skilled in the art would readily recognize that such systems include a processing system for performing the various features embodied in software.

(2) FIG. 2 clearly illustrates that the various functional components are tied to a financial transaction network, and the specification states that the functional components comprise structures (Page 4, ll. 17 – 20). A person skilled in the art would readily recognize that the functional components in association with a financial transaction network may be performed by a processing system.

(3) Page 2 of the provisional application states that “[a]spects of the present invention are based on the Stored Value Card Systems that are currently deployed by several credit card companies” (including those described at the cited URL on Visa’s website) and that “[t]he present invention provides a customization or modification to such systems.” A person skilled in the art would readily recognize that such systems include a processing system for performing the various features embodied in software.

(4) Page 1 of the appendix to the provisional application states that “a Visa branded transaction card ... will provide all of the transactional functionality of a Visa branded card but will be funded from the account owner’s personal funds.” A person skilled in the art would readily recognize that such transactional functionality may be provided by a processing system for performing various features embodied in software.

(5) Pages 3 – 6 of the appendix to the provisional application describe systems requirements for embodiments of the invention including “web application requirements” and “back-office requirements” that may vary based on “processor methodology.” A person skilled in the art would readily recognize that the web application, back-office components, and processor methodologies would include a processing system for performing the various described features.

The Appellant submits that each of the integrated software components recited in claim 1 are clearly described in the specification at Page 4, line 12 – Page 8, line 12. Due to the interrelationship between the software components and the fact that data is processed by and passed between the various software components (as illustrated by the interfaces between the boxes representing the components), various aspects of each component are described with reference to other components. Nonetheless, further support for each component is provided with reference to specific portions of the specification. The functions performed by the data collection component (210) are described at least at Page 4, ll. 20 – 33. The functions performed by the decision engine (220) are described at least at Page 5, ll. 1 – 16. The functions performed by the account creation component (230) are described at least at Page 5, ll. 17 – 32. The function performed by the account management component (240) are described at least at Page 6, ll. 1 – 17 and Page 6, line 30 – Page 7, line 3. The functions performed by the transactional processing component (250) are described at least at Page 6, ll. 22 – 29. The functions performed by the data aggregation module (252) are described at least at Page 6, line 26 – Page 7, line 25.

B. Independent Claim 11

An embodiment of a method for managing financial accounts is recited in claim 11. The method recites various steps performed by a processing system. The processing system is illustrated and described, as mentioned above with respect to claim 1. The step of aggregating transaction data is illustrated and described, as mentioned above with respect to the data aggregation module (252) and the financial transaction network 255. The step of modifying services is illustrated and described, as mentioned above with respect to the account management

component (240) and the data aggregation module (252). The step of modifying stored underwriting criteria is illustrated and described, as mentioned above with respect to the decision engine 220 and the data aggregation module (252), as well as the underwriting criteria (222) and risk models (224).

C. Independent Claim 21

An embodiment of a computer system for managing financial accounts is recited in claim 21. The processing system and the plurality of integrated computer software components are described and illustrated, as mentioned above with reference to claim 1. The account management component (240), the transactional processing component (250), the data collection component (210), the decision engine (220), the underwriting criteria (222), the account creation component (230), and the data aggregation module (252) are described and illustrated, as mentioned above with respect to claims 1 and 11.

VI. GROUND OF REJECTION TO BE REVIEWED ON APPEAL

The sole issue in this appeal is whether claims 1 – 4, 6, 8 – 11, 13 and 15 – 23 comply with the written description under 35 U.S.C. 112, first paragraph and, specifically, whether the claim recitation “processing system” added by the Appellant in the amendments submitted December 17, 2009 constitutes new matter.

VII. ARGUMENT

The Appellant respectfully disagrees with and appeals the final rejection of claims 1 – 4, 6, 8 – 11, 13 and 15 – 23 as allegedly failing to comply with the written description requirement

on the basis that the claim recitation “processing system” added by the Appellant in the Amendment & Response submitted December 17, 2009 constitutes new matter because the specification does not include any description of the claimed invention being performed by a processing system.

The Appellant respectfully submits that the rejection is clearly improper for at least the reasons that: (A) the Office Action fails to establish a prima facie case for rebutting the strong legal presumption that the written description requirement has been satisfied; and (B) even if a prima facie case has been established, that the preponderance of the evidence shows that a person skilled in the art would readily recognize that the Appellant was in possession of the claimed subject matter at the time the application was filed. Accordingly, a panel decision that the rejections be withdrawn is earnestly solicited.

A. The Office Action Fails to Overcome the Strong Presumption of Compliance with the Written Description Requirement

A written description as filed is presumed to be adequate, unless or until sufficient evidence or reasoning to the contrary has been presented by the examiner to rebut the presumption. *In re Marzocchi*, 439 F.2d 220, 224, 169 USPQ 367, 370 (CCPA 1971). There is a **strong presumption** that an adequate written description of the claimed invention is present when the application is filed. *In re Wertheim*, 541 F.2d 257, 263, 191 USPQ 90, 97 (CCPA 1976) (“we are of the opinion that the PTO has the initial burden of presenting evidence or reasons why persons skilled in the art would not recognize in the disclosure a description of the invention defined by the claims”). The examiner, therefore, must have a reasonable basis to challenge the adequacy of the written description. The examiner has the initial burden of

presenting by a preponderance of evidence why a person skilled in the art would not recognize in an applicant's disclosure a description of the invention defined by the claims. *In re Wertheim*, 541 F.2d at 263, 191 USPQ at 97. In rejecting a claim, the examiner must set forth express findings of fact regarding the above analysis which support the lack of written description conclusion. These findings must establish a prima facie case by providing reasons why a person skilled in the art at the time the application was filed would not have recognized that the inventor was in possession of the invention as claimed in view of the disclosure of the application as filed.

The Appellant respectfully submits that the Office Action has failed to overcome the strong presumption that the written description requirement has been satisfied. In fact, the Office Action merely provides conclusory statements and allegations – without any required evidence -- that the description fails to suggest that the claimed invention is performed by a computer or processing system. The entirety of the discussion presented to rebut the presumption of compliance is on Page 3 of the Final Office Action. The Office Action acknowledges that the written description of the present application illustrates and describes a processing system and a computer at Page 17 of the appendix to the provisional patent application to which prior was claimed and, therefore, is incorporated by reference. Specifically, the Office Action acknowledges the portion stating that “[t]he James/Foss [inventors’] system is a collection of integrated computer softwares and proprietary algorithms ... that enable the analysis/issuance/distribution/monitoring of an integrated credit product that extends credit through host based stored value and an unsecured credit line.” The Office Action concludes without reasoning, however, that this description and illustration does not suggest performing the claimed invention on a processing system or computer.

Nowhere in the Office Action is any factual evidence presented regarding the relevant issue -- why a person skilled in the art (or even the level of skill in the art) would not recognize that the inventors were in possession of “a processing system” performing the various claimed functions. The Office Action provides no reasonable basis for why a person skilled in the art would conclude that the processing system does not perform the various claimed functions described in the specification as encompassing embodiments of the invention. In fact, as described below in Section B, the Appellant believes that any such suggestion is so implausible as to completely misrepresent the level of ordinary skill in the art and, furthermore, fails to consider the explicit, implicit, and inherent teachings in the present application of computer-based and processing systems, such as, Stored Valued Systems and credit card processing systems. Absent such evidence and based merely on conclusory statements, the Office Action fails to establish a prima facie case for rebutting the strong presumption of compliance with the written description requirement.

B. Rejected Claims Clearly Comply with the Written Description Requirement

Even assuming for the sake of argument that the Office Action has established a prima facie case for rebutting the strong presumption of compliance with the written description requirement, the Appellant respectfully submits that the preponderance of the evidence (in fact, all relevant evidence) shows that a person skilled in the art would readily recognize that the Appellant was in possession of the claimed subject matter at the time the application was filed.

The courts have described the essential question to be addressed in a written description requirement issue in a variety of ways. An objective standard for determining compliance with the written description requirement is, "does the description clearly allow persons of ordinary

skill in the art to recognize that he or she invented what is claimed." *In re Gosteli*, 872 F.2d 1008, 1012, 10 USPQ2d 1614, 1618 (Fed. Cir. 1989). Under *Vas-Cath, Inc. v. Mahurkar*, 935 F.2d 1555, 1563-64, 19 USPQ2d 1111, 1117 (Fed. Cir. 1991), to satisfy the written description requirement, an applicant must convey with reasonable clarity to those skilled in the art that, as of the filing date sought, he or she was in possession of the invention, and that the invention, in that context, is whatever is now claimed. The test for sufficiency of support in a parent application is whether the disclosure of the application relied upon "reasonably conveys to the artisan that the inventor had possession at that time of the later claimed subject matter." *Ralston Purina Co. v. Far-Mar-Co., Inc.*, 772 F.2d 1570, 1575, 227 USPQ 177, 179 (Fed. Cir. 1985) (quoting *In re Kaslow*, 707 F.2d 1366, 1375, 217 USPQ 1089, 1096 (Fed. Cir. 1983)).

Whenever the issue arises, the fundamental factual inquiry is whether the specification conveys with reasonable clarity to those skilled in the art that, as of the filing date sought, the applicant was in possession of the invention as now claimed. See, e.g., *Vas-Cath, Inc. v. Mahurkar*, 935 F.2d 1555, 1563-64, 19 USPQ2d 1111, 1117 (Fed. Cir. 1991). An applicant shows possession of the claimed invention by describing the claimed invention with all of its limitations using such descriptive means as words, structures, figures, diagrams, and formulas that fully set forth the claimed invention. *Lockwood v. American Airlines, Inc.*, 107 F.3d 1565, 1572, 41 USPQ2d 1961, 1966 (Fed. Cir. 1997). Furthermore, the subject matter of the claim need not be described literally (i.e., using the same terms or *in haec verba*) in order for the disclosure to satisfy the description requirement.

The requirements for sufficient disclosure of inventions involving computer programming are the same as for all inventions sought to be patented. MPEP 2161.01. What is conventional or well known to one of ordinary skill in the art need not be disclosed in detail.

See *Hybritech Inc. v. Monoclonal Antibodies, Inc.*, 802 F.2d at 1384, 231 USPQ at 94. If a skilled artisan would have understood the inventor to be in possession of the claimed invention at the time of filing, even if every nuance of the claims is not explicitly described in the specification, then the adequate description requirement is met. See, e.g., *Vas-Cath*, 935 F.2d at 1563, 19 USPQ2d at 1116; *Martin v. Johnson*, 454 F.2d 746, 751, 172 USPQ 391, 395 (CCPA 1972) (stating "the description need not be in *ipsis verbis* [i.e., "in the same words"] to be sufficient").

The Appellant respectfully submits that claims 1 – 4, 6, 8 – 11, 13 and 15 – 23 clearly meet the standards applied by the courts for determining compliance with the written description requirement. A person skilled in the art would readily appreciate that the recitation “processing system” (which the Office Action concedes is described and illustrated in the specification) would perform the various claimed functions (again which the Office Action concedes are illustrated and described in the specification as comprising a plurality of integrated software components). In fact, as mentioned above in Section A, the Appellant believes that any suggestion that one skilled in the art would not appreciate that the processing system could perform any functions, features, processes, or steps associated with the software components is so implausible as to completely misrepresent the level of ordinary skill in the art. Furthermore, such an implausible conclusion would also necessarily fail to consider the explicit, implicit, and inherent teachings in the present application of computer-based and processing systems, such as, Stored Valued Systems and credit card processing systems, and the additional teachings noted below.

The section of the specification acknowledged in the Office Action as describing the recitation “processing system” (*i.e.*, Page 17 of the appendix of the provisional patent

application) clearly states, under the heading “Preliminary Patent Definitions”, that the [inventors’] system “is a collection of integrated computer softwares and proprietary algorithms.” The emphasis provided by the title should resolve even the most unreasonable uncertainty about whether the inventive features and functions described in the specification, including the various components illustrated in FIG. 2, would comprise computer software. Furthermore, a person skilled in the art would readily recognize that the various features and functions embodied in the computer softwares and algorithms are performed by a computer, processor, processing system, or other processing device(s). In fact, even those unskilled in the art would appreciate this fact. Any suggestion to the contrary, would ignore or distort the general knowledge of one skilled in the art.

Moreover, the illustration on Page 17 introduced with the preamble “[t]he [inventors’ system] does this by” further clarifies that the inventive features and functions are implemented by a processing system. The illustration clearly shows that the functions (represented as boxes in the system) interface with a processing system. The additional drawings on Pages 18 – 21 illustrate further embodiments of computer software and algorithms for implementing the inventive system. Notably, the drawing on Page 18 includes the same subject matter (software components) as FIG. 2 of the present application. Moreover, the drawing on Page 19 illustrates a computer terminal connected to a backend processing system and databases via the Internet, further evidence of a processing system for performing the embodiments of the inventive functions. Accordingly, the preponderance of the evidence in connection with the above-referenced portions of the written description clearly support the conclusion that a person skilled in the art would recognize that the various claimed functions may be performed by a processing

system. For at least these additional reasons, the Appellant submits that the claims comply with the written description requirement and, therefore, the rejection should be withdrawn.

In addition to the support noted above, the Appellant submits at least the following additional support in the specification, each of which would be recognized by a person skilled in the art as possession of the feature of a processing system performing the claimed features:

(1) The specification of the present application clearly teaches, on Page 3, ll. 10 – 16, that the present invention may be utilized in Stored Value Systems currently deployed by credit card processing systems, and that the features and aspects of the present invention can be ported into a variety of systems and system/network configurations. A person skilled in the art would readily recognize that such systems include a processing system for performing the various features embodied in software.

(2) Figure 2 in the present application clearly illustrates that the various functional components are tied to a financial transaction network, and the specification states that the functional components comprise structures (Page 4, ll. 17 – 20). A person skilled in the art would readily recognize that the functional components in association with a financial transaction network may be performed by a processing system.

(3) Page 2 of the provisional application states that “[a]spects of the present invention are based on the Stored Value Card Systems that are currently deployed by several credit card companies” (including those described at the cited URL on Visa’s website) and that “[t]he present invention provides a customization or modification to such systems.” A person skilled in the art would readily recognize that such systems include a processing system for performing the various features embodied in software.

(4) Page 1 of the appendix to the provisional application states that “a Visa branded transaction card ... will provide all of the transactional functionality of a Visa branded card but will be funded from the account owner’s personal funds.” A person skilled in the art would readily recognize that such transactional functionality may be provided by a processing system for performing various features embodied in software.

(5) Pages 3 – 6 of the appendix to the provisional application describe systems requirements for embodiments of the invention including “web application requirements” and “back-office requirements” that may vary based on “processor methodology.” A person skilled in the art would readily recognize that the web application, back-office components, and processor methodologies would include a processing system for performing the various described features.

For at least these further reasons, the Appellant respectfully submits that the claim recitation “processing system” does constitute “new matter” and that the claims fully comply with the written description requirement. Accordingly, the Appellant respectfully requests that the rejection be withdrawn and the claims allowed.

CONCLUSION

Based upon the foregoing, the Appellant respectfully requests that the Examiner's final rejection of claims 1 – 4, 6, 8 – 11, 13, and 15 - 23 be overturned and withdrawn by the Board and that the application be allowed to issue as a patent with pending claims 1 – 4, 6, 8 – 11, 13, and 15 - 23. Any additional fee that may be due or required is authorized to be charged to Deposit Account 50-3479. In view of the above, it is clear that the grounds of rejection are deficient and improper. Accordingly, a panel decision that the rejections be withdrawn is earnestly solicited.

Respectfully submitted,

/Adam E. Crall/

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CERTIFICATE OF MAILING

I hereby certify that this correspondence, including any items indicated as attached or included, is being electronically submitted to the United States Patent & Trademark Office via the Electronic Filing System (EFS-WEB) on the date indicated below.

Date: November 23, 2010

/Adam E. Crall/

Signature

VIII. CLAIMS APPENDIX

1. (previously presented) A computer system for managing financial accounts, the computer system comprising:

a processing system configured to execute a plurality of integrated computer software components configured to establish a new financial account for a new customer and manage a plurality of existing financial accounts for a plurality of existing customers, the integrated computer software components comprising:

a data collection component configured to receive account option data and account formation data pertaining to a new customer;

a decision engine configured to qualify the new customer for a new financial account based at least in part on qualification criteria and said formation data and said account option data;

an account creation component configured to establish the new financial account for the qualified customer based at least in part on the account option data and account formation data;

an account management component configured to manage account data associated with said new financial account and a plurality of existing financial accounts;

a transactional processing component configured to receive transactions and clear the transactions against the new financial account and the plurality of existing financial accounts; and

a data aggregation module coupled with the account management component, the transactional processing component, and the decision engine, the data aggregation module configured to aggregate data associated with the transactions for the plurality of existing

financial accounts and provide feedback information related to the aggregated transaction data to the decision engine and the account management component, wherein the decision engine modifies the qualification criteria based on the feedback information and the account management component modifies the account data of one or more of the new financial account and the existing financial accounts based on the feedback information.

2. (previously presented) The computer system of claim 1, wherein said decision engine further comprises an underwriting component configured to apply the qualification criteria.

3. (previously presented) The computer system of claim 2, wherein said decision engine further comprises at least one risk model coupled to said underwriting component and said account management component, the at least one risk model configured to model risks associated with said new financial account and the existing financial accounts.

4. (previously presented) The computer system of claim 1, wherein said account management component further comprises an account behavior component configured to examine account behavior associated with the new financial account and the plurality of existing financial accounts.

5. (canceled)

6. (previously presented) The computer system of claim 4, wherein said account behavior component further comprises a controller configured to enable and disable functions and privileges of said new financial account or the existing financial accounts based upon said aggregated data.

7. (canceled)

8. (previously presented) The computer system of claim 1, wherein said decision engine comprises an underwriting component configured to apply the qualification criteria and at least one risk model coupled to said underwriting component and said account management component and associated with said qualification criteria configured to model risks associated with said new financial account or the existing financial accounts.

9. (previously presented) The computer system of claim 8, wherein said at least one risk model is coupled to said data aggregation module and said account behavior component, wherein said at least one risk model is configured to update risk models based upon said aggregated data and said account behavior, whereby said qualification criteria is updated.

10. (previously presented) The computer system of claim 9, wherein said account management component comprises an account behavior component configured to alter a parameter related to operation of the new or existing financial accounts based upon said risk models.

11. (previously presented) A method for managing financial accounts, comprising the steps of:

a processing system aggregating transaction data regarding a plurality of existing financial accounts for a plurality of existing customers, the transaction data received by a processing system via a financial transaction network;

the processing system modifying services provided to one of the existing customers associated with at least one of the existing financial accounts, via the financial transaction network, based on the aggregated transaction data from the plurality of existing financial accounts by changing account data associated with the corresponding financial account; and

the processing system modifying stored underwriting criteria applied by the processing system for qualifying new financial accounts based on the aggregated transaction data from the plurality of existing financial accounts.

12. (canceled)

13. (previously presented) The method of claim 11, further comprising the steps of:

the processing system accessing a risk model;

the processing system running the risk model based at least in part on the aggregated transaction data;

the processing system modifying the stored underwriting criteria based at least in part on the results of the risk model.

14. (canceled)

15. (previously presented) The method of claim 11, wherein the step of the processing system modifying the services comprises the step of the processing system modifying the stored underwriting criteria.

16. (previously presented) The method of claim 11, wherein the step of the processing system modifying the services comprises the step of the processing system modifying the fees associated with services.

17. (previously presented) The method of claim 11, wherein the step of the processing system aggregating transaction data comprises the step of the processing system receiving transaction information regarding financial transactions associated with at least one of the existing financial accounts.

18. (previously presented) The method of claim 11, wherein the step of the processing system modifying the services comprises the step of the processing system modifying a line of credit associated with at least one of the existing financial accounts.

19. (previously presented) The method of claim 11, wherein the step of the processing system modifying the services comprises the step of the processing system modifying restrictions on transactions for at least one of the existing financial accounts.

20. (previously presented) The method of claim 11, wherein the step of the processing system modifying the services comprises the step of the processing system temporarily disabling one or more services associated with at least one of the existing financial accounts.

21. (previously presented) A computer system for managing financial accounts, the system comprising:

a processing system configured to execute a plurality of integrated computer software components for underwriting and establishing a new financial account for a new customer and managing a plurality of existing financial accounts for a plurality of existing customers, the integrated computer software components comprising:

an account management component configured to manage account data associated with a plurality of existing financial accounts;

a transactional processing component configured to process and monitor transactions between the plurality of existing financial accounts and a financial transaction network;

a data collection component configured to receive account information for a new financial account;

a decision engine configured to qualify the new financial account based on underwriting criteria and the account information;

an account creation component configured to establish the qualified account based on the account information; and

a data aggregation module in communication with the transactional processing component, the account management component, and the decision engine, the data aggregation

module configured to process transaction data from the plurality of existing customers received from the transactional processing component and provide feedback information related to the processed transaction data to the account management component and the decision engine for altering the underwriting criteria for qualifying further new financial accounts and altering the account data associated with at least one of the existing financial accounts.

22. (previously presented) The computer system of claim 21, wherein the decision engine is configured to alter the underwriting criteria based on the feedback information and the account management component is configured to alter parameters of the existing financial accounts based on the feedback information.

23. (previously presented) The computer system of claim 22, wherein the decision engine interfaces with a risk model which is updated based on the feedback information from the data aggregation module.

IX. EVIDENCE APPENDIX

None. The Appellant has submitted no evidence in support of the arguments presented on appeal.

X. RELATED PROCEEDINGS APPENDIX

The Appellant submits that there are no related proceedings regarding the present application.